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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,270	04/03/2001	Alan Ramaley	60001.0004US01	1969
27488	7590	11/10/2005	EXAMINER	
MERCHANT & GOULD (MICROSOFT)			BASHORE, WILLIAM L	
P.O. BOX 2903			ART UNIT	
MINNEAPOLIS, MN 55402-0903			PAPER NUMBER	
			2176	

DATE MAILED: 11/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/825,270

Applicant(s)

RAMALEY ET AL.

Examiner

William L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: amendment filed 8/22/2005, to the original application filed 4/03/2001. IDS filed 6/25/2001.
2. Claims 1-22 pending. Claims 1, 10 are independent claims.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **The claimed invention (as claimed in claims 1-22) is directed to non-statutory subject matter.**

In regard to independent claims 1 and 10, the combined limitations within each of said claims can be interpreted as a series of mental and/or manual steps (i.e. an email note can be a printed note, said note given to another, etc.), and is therefore directed to non-statutory subject matter. The examiner's suggestion of changing the preambles of each said claim to recite "*A computer implemented method...*" will serve to overcome this rejection.

In regard to dependent claims 2-9, 11-22, claims 2-9, 11-22 are rejected for fully incorporating the deficiencies of their respective base claims.

Allowable Subject Matter

5. **Independent claim 1 (and therefore dependent claims 2-9)** would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 101, set forth in this Office action.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 10-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo et al. (hereinafter Bernardo), U.S. Patent No. 6,247,032 issued June 2001.

In regard to independent claim 10, Bernardo teaches a method for selected user(s) creating/submitting authored web site content (i.e. a document), said content subject to approval by designated users pending publication (Bernardo Title, Abstract – especially at bottom). Bernardo teaches content creators creating proposed pages of a web site, said pages subject to authorized approval pending posting said pages as appropriate. In this fashion, overall web site development (a development environment), as well as publication and integration of various user content submissions within said web site is automated in an automatic workflow type environment (i.e. an original document is to be sent to various people accordingly) (see also Bernardo column 10 lines 1-9, 36-45).

Bernardo teaches a creator (composer) of a document editing/approving a page link within a browser area (i.e. tool) (Bernardo column 19 lines 40-53).

Bernardo teaches an email notification method associated with a document intended for review (Bernardo column 20 lines 1-13).

Bernardo does not specifically teach a return (reply) email from a reviewer. However, Bernardo's teaching of replying via scrolling for appropriate selection in response to an email notification to review a particular document (Bernardo column 20 lines 1-20) provides reasonable suggestion to the skilled artisan to

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reply via email as well. It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret this accordingly, providing the benefit of a well known method of sending information.

Bernardo teaches an approver set of processes (i.e. tools) (Bernardo column 20 lines 10-20).

Bernardo does not specifically teach comparing an RCID number, and storing in a file. However, Bernardo's teaching of an orderly routing of documents for review, along with specific parameters (Bernardo column 10 lines 64-67), along with routing order (Bernardo column 11 lines 1-5), suggests to the skilled artisan the use of a unique ID document number for keeping track of review, etc.. It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret this accordingly, providing the benefit of ID numbers for improved tracking.

Bernardo does not specifically teach a set of author review tools including at least one tool that is separate and distinct from the set of reviewer reviewing tools. However, Bernardo teaches a distinction between an author (composer), and a reviewer (approver) in that composers are users that create/edit new content, while approvers are users that can participate in the approval process (Bernardo column 18 lines 38-42). This teaching provides reasonable suggestion to one of ordinary skill in the art at the time of the invention to incorporate a separate distinct composer button devoted to creation of a new content document, a button that an approver would have no need for, since the approver's job is to approve the composer's work, not to create new content from scratch. Creating this new button would provide Bernardo the benefit of tools specific to a user's role.

In regard to dependent claim 11, Bernardo teaches a server, database, and client, etc. (Bernardo Figure 1).

In regard to dependent claims 12, 13, 18, 19, 20-22, Bernardo teaches an email with a link to a page requiring approval (Bernardo column 20 lines 5-10).

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Adding an author's name, ID, email address (i.e. reply to address, or reply with changes), email header IDs to an email, as well as a button ending a session (i.e. End Review button), is well established in the relevant art.

In regard to dependent claims 14, Bernardo does not specifically teach comparing an RCID number, and storing in a file. However, Bernardo's teaching of an orderly routing of documents for review, along with specific parameters (Bernardo column 10 lines 64-67), along with routing order (Bernardo column 11 lines 1-5), suggests to the skilled artisan the use of a unique ID document number for keeping track of review, etc.. It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret this accordingly, providing the benefit of ID numbers for improved tracking.

Bernardo teaches an email with a message alerting the user to a page requiring approval (Bernardo column 20 lines 1-13).

In regard to dependent claims 15-17, claims 15-17 incorporate substantially similar subject matter as claimed in claim 1, and are rejected along the same rationale.

Response to Arguments

8. Applicant's arguments filed 8/22/2005 have been fully and carefully considered but they are not persuasive.

It is noted that Applicant's amendment to the independent claims significantly changes the scope of the claimed invention when interpreted as a whole.

Applicant argues on page 8 of the amendment that the cited art of record does not teach Applicant's amended subject matter within independent claim 10. The examiner respectfully disagrees, and offers his analysis in the present rejection of claim 10 above, using the Bernardo reference.

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Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WILLIAM BASHORE
PRIMARY EXAMINER

November 8, 2005